Case 09-23568 Doc 1 Filed 06/29/09 Entered 06/29/09 15:42:45 Desc Main Document Page 1 of 11

United States Bankruptcy Court Northern District of Illinois					Voluntary Petition		
Name of Debtor (if individual, enter Last, First, Middle): Wash, Tony Curtis				of Joint De sh, Kimk	ebtor (Spouse perly	e) (Last, First,	Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): DBA The Lick Entertainment Inc.			(includ	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): DBA The Lick Entertainment Inc.; AKA Kimberly Kenner			
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) xxx-xx-0197 Street Address of Debtor (No. and Street, City, and State):			(if mor	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) xxx-xx-1287 Street Address of Joint Debtor (No. and Street, City, and State):			
17159 S. Constance Ave. South Holland, IL ZIP Code 60473				17159 S. Constance Ave. South Holland, IL ZIP Code 60473			
County of Residence or of the Principal Place of Cook Mailing Address of Debtor (if different from stre			County of Residence or of the Principal Place of Business: Cook Mailing Address of Joint Debtor (if different from street address):				
Location of Principal Assets of Business Debtor (if different from street address above):		ZIP Code	_				ZIP Code
Type of Debtor (Form of Organization) (Check one box) Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.)	(Check ☐ Health Care Bus ☐ Single Asset Rei in 11 U.S.C. § 1 ☐ Railroad ☐ Stockbroker ☐ Commodity Bro ☐ Clearing Bank ☐ Other ☐ Tax-Exen	al Estate as de 01 (51B) ker mpt Entity if applicable) exempt organ f the United S	ization States	defined "incurr	the 1 er 7 er 9 er 11 er 12	Petition is Fi	
Filing Fee (Check on Full Filing Fee attached □ Filing Fee to be paid in installments (applica attach signed application for the court's cons is unable to pay fee except in installments. R □ Filing Fee waiver requested (applicable to chattach signed application for the court's cons	ble to individuals onlideration certifying that the 1006(b). See Official the 1006 of the	iat the debtor ial Form 3A. nlv). Must	Check	Debtor is if: Debtor's a to insiders all applica A plan is Acceptant	a small busin not a small b aggregate not s or affiliates) ble boxes: being filed w ces of the pla	usiness debto necontingent li) are less than ith this petition were solici	defined in 11 U.S.C. § 101(51D). or as defined in 11 U.S.C. § 101(51D). iquidated debts (excluding debts owed a \$2,190,000.
Statistical/Administrative Information ☐ Debtor estimates that funds will be available ☐ Debtor estimates that, after any exempt prop there will be no funds available for distribution	erty is excluded and a	administrative		es paid,		THIS	SPACE IS FOR COURT USE ONLY
1- 50- 100- 200- 49 99 199 999	1,000- 5,001- 5,000 10,000	10,001- 2 25,000 5	5,001- 0,000	50,001- 100,000	OVER 100,000		
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1 million	\$1,000,001 \$10,000,001 to \$10 to \$50 million	to \$100 to] 100,000,001 0 \$500 nillion	\$500,000,001 to \$1 billion			
\$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$10,000,001 to \$10 to \$50 million million	to \$100 to		\$500,000,001 to \$1 billion			

B1 (Official Fori	Case 09-23568 Doc 1 Filed 06/29/09			
Voluntary	DOCUMENT	Page 2 of 11 Name of Debtor(s): Week Town 2 of 1		
(This page mus	st be completed and filed in every case)	Wash, Tony Curtis Wash, Kimberly	,	
	All Prior Bankruptcy Cases Filed Within Last	8 Years (If more than two, attach ad	lditional sheet)	
Location Where Filed:		Case Number:	Date Filed:	
Location Where Filed:		Case Number:	Date Filed:	
Per	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more than	n one, attach additional sheet)	
Name of Debto - None -	or:	Case Number:	Date Filed:	
District:		Relationship:	Judge:	
forms 10K ar pursuant to S and is reques	Exhibit A leted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission ection 13 or 15(d) of the Securities Exchange Act of 1934 ting relief under chapter 11.) A is attached and made a part of this petition.	(To be completed if debtor is an individual I, the attorney for the petitioner named have informed the petitioner that [he of 12, or 13 of title 11, United States Code	. (=)	
	r own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.		e harm to public health or safety?	
Exhibit I If this is a join	eted by every individual debtor. If a joint petition is filed, each completed and signed by the debtor is attached and made a	part of this petition.	a separate Exhibit D.)	
	Information Regarding	g the Debtor - Venue		
	(Check any apple Debtor has been domiciled or has had a residence, principal debtor has been domiciled or has had a residence, principal debtor has been domiciled or has had a residence, principal debtor has been domiciled or has had a residence, principal debtor has been domiciled or has had a residence, principal debtor has been domiciled or has had a residence, principal debtor has been domiciled or has had a residence, principal debtor has been domiciled or has had a residence, principal debtor has been domiciled or has had a residence, principal debtor has been domiciled or has had a residence, principal debtor has been domiciled or has had a residence and debtor has been domiciled or has had a residence and debtor had a resi	ll place of business, or principal asset	s in this District for 180	
	days immediately preceding the date of this petition or for a There is a bankruptcy case concerning debtor's affiliate, ge			
	Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District.	ipal place of business or principal ass in the United States but is a defendar	sets in the United States in	
	Certification by a Debtor Who Resider		ty	
	(Check all appl Landlord has a judgment against the debtor for possession	•	complete the following.)	
	(Name of landlord that obtained judgment)			
	(Address of landlord)			
	Debtor claims that under applicable nonbankruptcy law, the the entire monetary default that gave rise to the judgment for	ere are circumstances under which the properties or possession, after the judgment for	e debtor would be permitted to cure possession was entered, and	
0	Debtor has included in this petition the deposit with the country after the filing of the petition.		3	
	Debtor certifies that he/she has served the Landlord with th	is certification. (11 U.S.C. § 362(1)).		

Date

Signature of Attorney for Debter(s

Melvin J. Kaplan, Bennett A. Kahn, Rae Kaplan

Signatur

Printed Name of Attorney for Debtor(s)

Melvin J. Kaplan & Associates P.C.

Firm Name

55 E. Jackson Blvd. Suite 650 Chicago, IL 60604

Address

Email: www.financialrelief.com (312)294-8989 Fax: (312)294-8995

Telephone Number

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Address

Official Form 19 is attached.

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in IT U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document

and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice

of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not

an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition

preparer.)(Required by 11 U.S.C. § 110.)

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

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B 1D(Official Form 1, Exhibit D) (12/08)

United States Bankruptcy Court Northern District of Illinois

		Torthern District of Immors		
In re	Tony Curtis Wash Kimberly Wash		Case No.	
			Chapter	7

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] ____

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

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B 1D(Official Form 1, Exhibit D) (12/08) - Cont.

☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling
requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debton

Tony Curtis Wash

Date:

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B 1D(Official Form 1, Exhibit D) (12/08)

United States Bankruptcy Court Northern District of Illinois

		Not then District of Inniois		
	Tony Curtis Wash			
In re	Kimberly Wash		Case No.	
		Debtor(s)	Chapter	7
			•	

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] ____

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

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B ID(Official Form 1, Exhibit D) (12/08) - Cont.
□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling
requirement of 11 U.S.C § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor:

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments

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over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

Certificate of Attorney

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

Melvin J. Kaplan, Bennett A. Kahn, Rae Kaplan

Printed Name of Attorney

Address:

55 E. Jackson Blvd.

Suite 650

Chicago, IL 60604

(312)294-8989

www.financialrelief.com

Certificate of Debtor

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Tony Curtis Wash

Tony Curtis Wash
Kimberly Wash
Printed Name(s) of Debtor(s)

Case No. (if known)

Your Care No. (if known)

300 W. Sibley LL c/o Lupel Weininger LLP 30 N. LaSalle, #3520 Chicago, IL 60602

9 N. Wabash Currency Exchange c/o Kurt J. Kolar 191 N. Wacker, Ste. 2300 Chicago, IL 60606

American Stone Surfaces c/o Weissberg & Assoc. LTD 401 S. LaSalle, #403 Chicago, IL 60605

Chase Auto Finance*
Natiional Bankruptcy Dept.
P.O. Box 29505
Phoenix, AZ 85038-8986

ComEd*
Attn: Bankruptcy Dept.
2100 Swift Drive
Oak Brook, IL 60523

GB Proerties

GB Proerties

Harris Bank* Line of Credit Bankruptcy Dept. 3800 Golf Road, Suite 300 Rolling Meadows, IL 60008

Home EQ P.O. Box 13716 Sacramento, CA 95859-3716

Nicor Gas*
Attn: Bankruptcy Dept
P.O. Box 549
Aurora, IL 60507

Turner Acceptance Corp. 4410 N. Ravenswood Ave. Chicago, IL 60640